

**CITY OF BROKEN ARROW
PLANNING COMMISSION MEETING
MINUTES
March 27, 2003**

The Planning Commission Agenda for this meeting was posted on March 21, 2003, at 4:30 p.m. on the City Hall Bulletin Board, 220 S. First Street.

1. The Broken Arrow Planning Commission met on Thursday, March 27, 2003, at 5:01 p.m.

2. Present: Robert Goranson, Chairman
Renate Caldwell, Vice Chairperson
Mike Lester, Commission Member
Kal Desai, Commission Member
Johnnie Parks, Commission Member

Absent: None

Staff Present: Farhad K. Daroga, City Planner
Brent Murphy, Ass't City Planner
Karl Fritschen, Staff Planner
Joyce Snider, Admin Ass't
April Parnell, Ass't City Attorney
Jeff Westfall, Engineering Dept
Don Slone, Community Development Coordinator

3. The Commission considered the minutes of the regular Planning Commission meeting held March 13, 2003. **Motion** by Mike Lester to approve the March 13, 2003, minutes as presented. The motion was seconded by Renate Caldwell.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

Motion Approved

4. The Commission considered the Consent Agenda. Farhad Daroga reviewed each item on the Consent Agenda.

Motion by Mike Lester to approve the Consent Agenda, as recommended by Staff. The motion was seconded by Renate Caldwell.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

Motion approved

- 4A. PT02-130, DN02-218, Washington Lane, revised preliminary plat, PUD 135, R-2, (BAZ 1580) 19.14 acres, 70 lots, ¼ mile south of Washington (91st) Street on the east side of 9th Street (Lynn Lane/177th East Avenue), Independent Design Consultants (Engineer). The applicant was present. This item was approved as recommended by Staff.

- 4B. PT03-105, DN03-121, Stonewood Hills II preliminary plat, 40.33 acres, 118 lots (PUD 127) south of Albany (61st), west of 9th Street (Lynn Lane), Hall, Rosenbaum & Associates, Inc. (Engineer). The applicant was present. This item was approved as recommended by Staff.
- 4C. PT03-107, DN03-124, Silva Development Warehouse preliminary plat, 0.993 acres, IS, (BAZ 1578) 1 lot, Kenosha Street and Creek Turnpike, Breisch & Associates, Inc. (Engineer). The applicant was present. This item was approved as recommended by Staff. The applicant was not present. This item was approved as recommended by Staff.
- 4D. PT02-127, DN02--211, Forest Ridge Baptist Church conditional final plat, A-1/SP 148, 10 acres, 8300 South Oneta Road, Joe Donelson, (Engineer). The applicant was present. This item was approved as recommended by Staff.
- 4E. ST03-108, DN03-126, McAlister's Deli site plan, 0.9 acres, C-3, Redbud Center, one-quarter mile south of Kenosha Street on the west side of Aspen Avenue, DeShazo, Tang & Associates, Inc. (Applicant). The applicant was present. This item was approved as recommended by Staff.
- 4F. BAL 832 lot split, R-1, 13200 East 68th Street (Horseshoe Acres), John R. Kiskin (Applicant). The applicant was present. This item was approved as recommended by Staff.
5. The Commission considered BACP 45, Wilburn Square, 12.99 acres, Level 3 and Level 4 to Level 4, southwest corner of Elm Place and Tucson Avenue (121st Street), Charles E. Norman (Applicant). Farhad Daroga presented the background, saying this tract is zoned A-1 and is unplatted. He said the request is to change the western portion of the tract from Level 3 to Level 4 to make the entire tract Level 4. He said there is a creek in the center of the property and a large drainage channel running north to south.

Charles Norman, attorney for the property owner, Ray Wilburn, said the Staff comments on the proposed PUD have been incorporated in the application submitted to the City. He outlined the parameters of the project and said his client is in agreement with the Staff recommendations.

There were no protestants present.

Motion by Kal Desai to recommend approval of BACP 45 as recommended by Staff. The motion was seconded by Mike Lester.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

Motion approved

Bob Goranson said this matter will be heard by the City Council in their meeting of April 21, 2003, at 7:30 p.m.

6. The Commission considered BACP 46, 10.0 acres, Level 2 to Level 3, 450 feet east of 9th Street (Lynn Lane) on the south side of New Orleans (101st) Street, Judy Whited, (Applicant). Farhad Daroga presented the background, saying this property was part of an annexation of September 2002 and is zoned ARE (Annexed RE). He explained the uses allowed in Level 3.

6. continued

Johnnie Parks asked if, when the Comprehensive Plan was adopted, the City labeled this area Level 2. Farhad Daroga said when the original Comprehensive Plan was adopted, all of this area was zoned RE by the County, so the City kept it at Level 2. He said the corner tract was annexed two years ago and was changed to Level 4. He said the intent of this proposal is that this land will act as a buffer between residential uses to the south and east if a commercial use is placed on the corner. He said the lot only has 165 feet of frontage on New Orleans and it will be difficult to develop some uses in Level 3 if it is used by itself. Discussion followed regarding plans for future (New Orleans) street improvement.

The applicant was present and said he had nothing to add.

Dan Stout, 230 East 20th, Tulsa, said he has spoken to the people on the corner who seemed to be in favor of doing something together. Discussion followed.

Bettiina Larson, 10207 Lynn Lane, who lives adjacent to the property being considered asked what will be done to protect residents to the south. Farhad Daroga said if the property is developed at a higher density, such as office, they must have certain building setbacks, landscaping strips and eight-foot screening fences. Ms. Larson asked about traffic control (on New Orleans Street). Discussion followed.

Glenda Heller, 10421 South 197th East Avenue, said there is a hill just east of the property in question, on New Orleans Street, and talked about the traffic and said the hill should be cut down and a turn lane installed.

The Commission discussed the possible uses in that area, the future development and the necessary street improvements.

Farhad Daroga said, based on the location of the property and the policies of the Comprehensive Plan, and partly because of the land being so close to two arterial streets, Staff recommends approval, with this change to go into effect at the time the property is zoned and platted.

Motion by Mike Lester to recommend approval of BACP 46 as recommended by Staff. The motion was seconded by Johnnie Parks.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

Motion approved.

Bob Goranson said before the site plan or the plat are submitted the City should take a look at the hill/elevation on New Orleans Street.

Bob Goranson said this matter will be heard by the City Council in their meeting of April 21, 2003, at 7:30 p.m.

7. The Commission considered BACP 47, Expressway Plaza, 13.78 acres, Level 4 to Level 6, R-2 and C-2, southeast corner of Elm Place and Tucson Avenue (121st Street), Tulsa Engineering & Planning Associates, Inc. (Applicant). Farhad Daroga presented the background, saying this 14 acres wraps around two small parcels that have been developed on the corner. He said the property has a very narrow strip on the east which is zoned R-2 and most of the balance of the property is zoned C-2.

7. continued

Farhad Daroga said the applicant is interested in using the property for retail commercial uses along the street frontages of Elm Place and Tucson Street and the southeast corner of the property is proposed for mini-storage and office/warehouse which is allowed in C-5. He said mini-storage is allowed in the C-5 district when it is part of a Planned Unit Development (PUD) and occupies no more than 20% of the land area zoned C-5. In addition, applicant wants a car wash along Elm Place and Tucson Street. Self-service (unattended) car washes are allowed in the C-4 district, but not in the C-5 district.

Tim Terral, Tulsa Engineering & Planning Associates, Inc., 8209 East 63rd Place, Tulsa, said this request is from Level 4 to Level 6 and C-5 zoning for mini-storage and C-4 for a self-serve car wash, and for C-2 uses. He said commercial retail-restaurant uses will front on Tucson, with office use next to Richland Park to the east. He said there will be a 50-foot setback and an eight-foot fence between the mini-storage and the residential use, or other height fence or combination of fencing, trees and landscaping, depending on what the neighbors want, with no access to the east and south side of the mini-storage so there will be no drive aisles back in that area. Brent Murphy said Staff has recommended they put in one evergreen tree for each 25 lineal feet. Mike Lester said he was more interested in the applicant working with the neighborhood and getting their input, than what the City requires.

Larry Shank, 6600 South Date, Broken Arrow, said his property backs up to this property; the City has a 12-foot easement between his lot and the lot next door to his and it is open. He said when it rains that easement fills with water. He said the City has access to a manhole for drainage and that manhole blows off and washes out his fence every time it rains and then it runs off onto the property under discussion. He said his concern is drainage on that property. He said they are filling the land and he does not know if there is a permit to do dirt fill. Mr. Shank said the drainage problem and the easement need to be addressed because it is a serious problem. He said he is losing land.

Bob Goranson said the runoff onto adjoining property cannot be increased by development (of the property under consideration). Johnnie Parks asked if there is a permit to dump dirt there. Farhad Daroga said any tract larger than three acres must have an earth change permit and asked Tim Terral if his firm has applied for an earth change permit and Tim Terral said he didn't know. Johnnie Parks asked Staff to find out and report to the Commission.

Yvonne Reddington, 6900 South Date, Broken Arrow, asked what is an opaque fence. Bob Goranson said it was a standard privacy fence that cannot be seen through.

Motion by Johnnie Parks to recommend approval of BACP 47, as recommended by Staff, and before this item goes to the City Council that they receive an answer to their question of whether there is an earth change permit on this property. The motion was seconded by Mike Lester.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

Motion approved.

Johnnie Parks clarified that the information regarding the earth change permit was to be forwarded to the City Council, with a memo to the Commission. Farhad Daroga said they should have an earth change permit

Bob Goranson said this matter will be heard by the City Council in their meeting of April 21, 2003, at 7:30 p.m.

8. The Commission considered BAZ 1595, Tapes Studio Theatre, 10.0 acres, A-1 to C-2 and C-3, southeast corner of Garnett Road and Florence (111th) Street, Wallace Engineering (Applicant). Farhad Daroga presented the background, saying the applicant is requesting that 4.6 acres on the west side of the property be rezoned C-3 and 5.4 acres on the east side be rezoned C-2. The applicant, John Herbert, was present and said he had nothing to add. There were no protestants present.

Motion by Mike Lester to recommend approval of BAZ 1595 as recommended by Staff. The motion was seconded by Renate Caldwell.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

Motion approved.

Bob Goranson said this matter will be heard by the City Council in their meeting of April 21, 2003, at 7:30 p.m.

9. The Commission considered an amendment to the Broken Arrow Planning Commission Bylaws to hear items removed from the Consent Agenda immediately after approval of the Consent Agenda.

Motion by Mike Lester to approve an amendment to the Broken Arrow Planning Commission Bylaws to hear items removed from the Consent Agenda immediately after approval of the Consent Agenda. The motion was seconded by Johnnie Parks. Bob Goranson asked how the items were renumbered and Staff answered.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

Motion approved.

10. **ITEMS REMOVED FROM CONSENT AGENDA**

None.

11. **DISCUSSION ITEMS**

None.

10. **REMARKS, INQUIRIES AND COMMENTS BY PLANNING COMMISSION AND STAFF
(NO ACTION)**

None.

- 11 **Motion** by Mike Lester at 5:41 p.m. to adjourn. The motion was seconded by Kal Desai.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

Motion approved